PH (MS) 1/4/72

Relet 12/30, memo FOI 12/30 and enclosures.

Nature my reminder re CD1408: there is merit in your argument, but I think you have not thought through my reasons. I am certain I did not get those pages and I did request them in writing. I am missing all but three very pale ones I got from you, 1, 30,31. I think, from checking my files, what happened is that I told you not to bother sending me the duplicate set for Wade after hearing from him, then decided to take that set to show him, then gave it to him when he said he'd like to have it, thus I do not have the full set from you or the Archives.

Clipping good, thanks.

If I did read Vince's piece too hastily, as is possible, then I owe him an apology. It seems to me that quoting Wade as saying there was a conspiracy destroys the validity of the non-existing "announcement" from the Situation room, if that is where the message originated, whether or not Bundy was then there and whether or not he dictated it. The only "announcement" was by Wade, for his comments were published, are not apocryphal. There was no publicity to the alleged Bundy "announcement". I feel that Vince did well to try and trace this once White referred to it, but on the basis of what I recall of what he used the most that can fairly be saidis that whoever in DC sent the message to the plane was merely repeating what he had been told, and that may well have had wire-service origin. But as to his earlier writing, I do not retreat. Reread his dedication of his ballistics stuff to Frazier and the FBI for their glorious work. And in the M of J yet!

On CD653: If I agree with your conclusions I disagree with your method. I think you should challenge the interpretation of investigative file for the record, point outthat any use waves the exception (via American Mail), and that both he and the Commission need it, he deleting the name already published. I'd ask what law was being enforced in a check to learn whether a lawyer offered to defend an accused- and ask what happened to the original telegram. At the same time I would offer not to press your right to this stuff if it contains anything that could be a reflection on McD's personal life, but that offering to defend a man is not such a thing, esp. for a lawyer who has defended Mafia clients. Esp. with the telegram beginning with a reference to LHO's request for counsel in the offer to provide representation in no way reprehensible. Rather does it seem to reflect dedication to the law. If I would not file for this I would present a challenge and improve the record a bit, which could make it more valuable as an illumination in the future.

The dates on your letters roughly coindice with some of my corres., as you may have noticed, suggesting either policy to delay us or the accumulation of requests for regular porcessing (violative of the law in either case, certainly of its intent).

I believe you may have a point in suggesting lawyers' doubts about the dependability of what the FBI tells them. I think you should record to Mitchell the error re p. 3. If you are correct, give them proof of their doubts.

Your interpretations of having jo records of Quiroga contacts are credible. There is another that just occurred to me. If each agent keeps his own file on his own informants, then it would be simple and foolproof to purge while they are current files, before merging or reporting to DC. But it is my belief that DC approval is required on informants. The agents even get unsolicited advice on how to handle, prohibitions, etc., as PR has explained. Your hunch that derrogatory info on Pena might be included is valid. It could also include Bringuier and others in the Cuban community who could have torn OO up, and some would have. I'm fascinated by the "has had" rather than say "did have" post 11/27/63 contacts with OO. Here I would not press him, but I would ask what law was being enforced.

The Butler thing remains incredible. One poss. Explanation: he was A SI. HW